

17581 U.S. PTO  
06/27/03



27123

PATENT TRADEMARK OFFICE

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PATENT

Docket No. 5000-5110

Express Mail Label No. EV357801157US

17581 U.S. PTO  
10/607605



062703

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL (1.53(b))

Applicant(s) : Tsutomu UMEHARA; Masaaki YAMAGUCHI; and Hiroki KINUHATA  
Serial No : TBA  
Filed : Herewith  
For : APPARATUS AND METHOD FOR CONTROLLING EGR IN AN ENGINE

Mail Stop Patent Application  
COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing is the patent application of:

Named Inventor(s) and Address(es): Tsutomu UMEHARA; Masaaki YAMAGUCHI; and Hiroki KINUHATA

c/o: KABUSHIKI KAISHA TOYOTA JIDOSHOKKI

2-1, Toyoda-cho, Kariya-shi, Aichi-ken, Japan

For: APPARATUS AND METHOD FOR CONTROLLING EGR IN AN ENGINE

Enclosed are:

[X] 37 page(s) of specification, 1 page(s) of Abstract, 5 page(s) of claims

[X] 8 sheets of drawing [X] formal (Figs. 1-14) [ ] informal

[ ] — page(s) of Declaration and Power of Attorney

[ ] Unsigned

[ ] Newly Executed

[ ] Copy from prior application

[ ] Deletion of inventors including Signed Statement under 37 C.F.R. § 1.63(d)(2)

- ☐ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the combined declaration and power of attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.
- ☐ Microfiche Computer Program (Appendix)
- ☐ \_\_\_\_\_ page(s) of Sequence Listing
  - ☐ computer readable disk containing Sequence Listing
  - ☐ Statement under 37 C.F.R. § 1.821(f) that computer and paper copies of the Sequence Listing are the same
- ☒ Claim for Priority (Claim to Convention Priority) is made to Japanese Application No. 2002-191061 filed on June 28, 2002.
- ☒ Certified copy of the Priority Document No. 2002-191061 will be submitted at a later date.
  - ☐ English translation documents
- ☐ Information Disclosure Statement
  - ☐ Copies of the cited references, including Form PTO-1449
  - ☐ Copy of PTO-1449 filed in parent application serial No. \_\_\_\_\_.
- ☐ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☐ Assignment Papers (assignment cover sheet and assignment documents)
  - ☐ A check in the amount of \$ 40.00 for recording the Assignment.
  - ☐ Assignment papers filed in parent application Serial No. \_\_\_\_\_.
  - ☐ Certification of chain of title pursuant to 37 C.F.R. § 3.73(b).
- ☐ This is a ☐ continuation ☐ divisional ☐ continuation-in-part (C-I-P) of prior application serial no. \_\_\_\_\_.
- ☐ Cancel in this application original claims \_\_\_\_\_ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ A preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application.
- ☐ The status of the parent application is as follows:
  - ☐ A Petition For Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until \_\_\_\_\_.
  - ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.

- ☐ No Petition For Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Amend the specification by inserting before the first line the sentence:  
This is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application Serial No. \_\_\_\_\_  
\_\_\_\_\_ filed \_\_\_\_\_.

**I. CALCULATION OF APPLICATION FEE (For Other Than A Small Entity)**

|                           | Number Filed                           |       | Number Extra | Rate       | Basic Fee<br>\$ 750.00 |
|---------------------------|--|-------|--------------|------------|------------------------|
| Total Claims              | 20                                     | -20 = | 0            | x \$ 18.00 | \$ 0.00                |
| Independent Claims        | 3                                      | - 3 = | 0            | x \$ 84.00 | \$ 0.00                |
| Multiple Dependent Claims | Additional Fee =                       |       |              |            |                        |
|                           | Add'l Fee =                            |       |              |            |                        |
|                           | <input type="checkbox"/> yes           |       |              |            | \$ 280.00              |
|                           | <input checked="" type="checkbox"/> no |       |              |            | NONE                   |

Total: \$ 750.00

- ☐ A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$ \_\_\_\_\_.
- ☒ A check in the amount of \$ 750.00 in payment of the application filing fees is attached.
- ☐ A check in the amount of \$ \_\_\_\_\_ in payment of the assignment recording fee is attached.
- ☐ Charge Fee(s) to Deposit Account No. 13-4500. Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-5110. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

*Steven F. Meyer*  
Steven F. Meyer  
Registration No. 35,613

Dated: June 27, 2003

CORRESPONDENCE ADDRESS:  
MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800  
(212) 751-6849 Facsimile

- ☐ No Petition For Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Amend the specification by inserting before the first line the sentence:  
This is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application Serial No. \_\_\_\_\_  
\_\_\_\_\_ filed \_\_\_\_\_.

## I. CALCULATION OF APPLICATION FEE (For Other Than A Small Entity)

|                           | Number Filed                           |       | Number Extra     | Rate       | Basic Fee<br>\$ 750.00 |
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| Multiple Dependent Claims | <input type="checkbox"/> yes           |       | Additional Fee = |            |                        |
|                           | <input checked="" type="checkbox"/> no |       | Add'l Fee =      | \$ 280.00  | \$ 0.00                |
|                           |  |       |                  | NONE       |                        |

Total: \$ 750.00

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Respectfully submitted,

*Steven F. Meyer*  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Tsutomu UMEHARA; Masaaki YAMAGUCHI; and Hiroki KINUHATA  
Serial No.: TBA Group Art Unit: TBA  
Filed: Concurrently Herewith Examiner: TBA  
For: APPARATUS AND METHOD FOR CONTROLLING EGR IN AN ENGINE

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No.: EV357801157US

Date of Deposit: June 27, 2003

I hereby certify that the following attached paper(s) and/or fee

1. Utility Application and Fee Transmittal (in duplicate);
2. 37 pp. specification; 5 pp. claims; 1 pg. abstract;
3. 8 sheets of formal drawings (Figures 1-14);
4. Claim to Convention Priority;
5. A check in the amount of \$750.00 in payment of the filing fee; and
6. A return receipt postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313 1450.

Ron London

(Typed or printed name of person mailing papers(s) and/or fee)

Date: June 27, 2003

Ron London

(Signature of person mailing paper(s) and/or fee)

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